Appl. No. 09/909,025
Reply to Office Action of July 12, 2005

Docket No. EMC-011PUS

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the amendments set forth above and the below remarks.

Claims 47-65 are rejected and claims 66 and 67 are herein added.

This amendment is enclosed with the accompanying RCE application.

The Prior Art Rejections

The Examiner has rejected claims 47-63 under 35 U.S.C. §102 over U.S. Patent No. 5,018,060 to Gelb. Applicant respectfully traverses this rejection.

Claim 47 requires a method of creating a data storage pool, including providing information for a plurality of storage resources in response to *a user query*, assigning at least one storage property to selected ones of the plurality of storage resources *in response to user instructions* to define the data storage pool, receiving a logical expression to identify respective ones of the storage resources that are available for a requested store operation based *upon the storage properties assigned* to the selected ones of the storage resources, and allocating selected ones of the identified storage resources for the requested store operation.

With this arrangement, user-defined properties can be assigned to storage resources. These properties can be then be mapped to user applications. This provides a user the ability to define properties outside of the scope of *conventional storage attributes*, such as those taught in Gelb at column 6, line 45 to which Gelb is limited. As stated by Gelb at col. 4, line 44 et seq., "[t]he class selections for a given data set are preferably determined based upon a data set naming convention, such as a convention which includes identification of the business function which generated the data set, its size, allocation attributes, security criteria and other related job information and needs."

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In contrast, Gelb discloses a system for allocating data storage space of peripheral data storage devices using implied allocation based on user parameters. Gelb defines:

- Data Classes that contain logical attributes about the users data (record length, retention, etc) (col. 6, line 45);
- Storage Classes that define a logical storage device in terms of access capability (col. 7, line 55); and
- Management Classes that define the life cycle of a data set (col. 8, line 65); Storage Group, which define storage volumes (col. 10, line 15).

The above structures in Gelb are then combined using an algorithmic language (described in column 13 and 14) to allow the selection of storage. A mapping is performed from Data Classes to Storage Classes using Management Classes as input.

The claimed invention *abstracts* the storage pool details for a user, such as the database administrator. As described in the specification on page 2, an exemplary embodiment "provides a level of abstraction between a storage pool and a database administrator (DBA). Thus, the invention moves the definition of storage requirements out of the realm of those responsible for 'allocation units to those responsible for 'business logic.'

The Examiner states that SELECT and WHEN statements are used to implement user queries. Applicant respectfully disagrees. Applicant does not see how this teaches a user query as asserted by the Examiner.

Accordingly, Applicant submits that claim is patentably distinguishable over Gelb. For substantially the same reasons, Applicant submits that claims 48-63 are distinguishable over the cited art.

In view of the above, Applicant submits that claims 47-65 are in condition for allowance and a notice thereof is respectfully requested.

The Examiner is encouraged to contact the undersigned to discuss any matter in furtherance of the present application.

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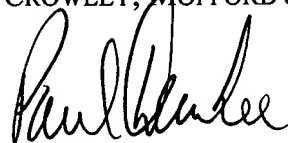Reply to Office Action of July 12, 2005

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Applicant does not acquiesce to any assertion made by the Examiner that may not be addressed herein.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

Dated: _12 Jan 06_

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